

U.S. Application No.: 09/691,552
AMENDMENT A

ATTORNEY DOCKET: 3926.016

REMARKS

Applicants appreciate the *Ex Parte Quayle* action of July 1, 2004.

The claims were merely objected to because of informalities. Applicants have amended Claims 24 and 30, and point out support in the specification for claim 26.

Early issuance of the Notice of Allowance is respectfully requested.

Office Action

Turning now to the Office Action in greater detail, the paragraphing of the Examiner is adopted.

Claim Objections

Claims 16-30 are objected to because of the following informalities:

- 1) Claim 24 line 1, "Claims" should read -claim--;
Applicants have corrected this claim.
- 2) Claim 26 discloses subject matter (heads up display is glasses or goggles) that is not disclosed in the specification;
Applicants point out to the Examiner that support can be found in the specification, page 5, lines 19-21.
- 3) Claim 30 line 3, the phrase "operationally relevant information" should be defined with greater specificity.

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In response Applicants amend claim 30 to recite "information relevant to the operator for operating the technical appliance".

Drawings

1. The drawings are objected to because the labels in claim 1 (i.e., Fig. 1) should be written in English.

Applicants believe the Examiner is looking at the German language Fig. 1 filed with the copy of the German language application. Applicants previously DID file an English translation of Fig. 1. Applicants are pleased to attach hereto the translated Fig. 1.

2. The drawings are objected to. The **device for automatic recognition** and **device for controlling** (as claimed in claim 20) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Applicants respectfully submit that

- it is well known to carry out these process steps using, e.g., a video camera and a microprocessor programmed with image recognition software (see US Patent 6,472,977 cited by the Examiner),
- the process steps are spelled out in Fig. 1 (of which the Examiner did not have an English translation, a duplicate copy of which is attached hereto),
- an example of a display according to the invention is shown in Fig. 2,

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- the actual distinguishing feature of the present invention is not in the conventional hardware, but rather in that **the duration of the display is below the threshold of recognition and above a subconscious threshold of detection of the operator.** This phenomena is illustrated in a different context in US Patent 6,525,656 owned by the present assignee.

As described beginning at page 3, line 35 of the specification, when adapting the invention to an automobile, one employs:

(a) one or more devices for automatic recognition of situations, which may possibly require a reaction of the automobile driver, and

(b) a device for controlling the image display device, in order to display the appropriate operationally relevant information as soon as the appropriate situation is recognized.

Devices for recognition of dangerous situations are described in hundreds of patents, and can simply be a well known video camera system with image recognition. As discussed at page 7 of the specification, line 5 on, if, for example, the video camera recognizes that the brake lights of the preceding vehicle have become illuminated (Fig. 1, S1), the recognized situation is evaluated in, e.g., a microprocessor or on-board computer (Fig. 1, S2) with respect to its danger potential or, as the case may be, its importance. Subsequently, there occurs a selection of a suitable excitation or stimulation based on type and duration (S3), from the appropriate images or symbols and the appropriate display duration, all of which can be stored, for example in a memory chip. Subsequently, there occurs the stimulus (S4), in

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which the image or symbol is briefly displayed on the display device.

With regard to Fig. 2, here the instrument cluster is shown at precisely the instant in which the symbolic image **1** of two brake lights appear in the instrument cluster **2** just outside the speedometer **3**.

Accordingly, all features of claims 20-22 are shown in the figures. Withdrawal of the objection is respectfully requested.

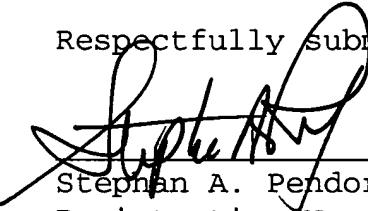
Cited Art

Finally, the Examiner states that other prior art made of record is considered pertinent to applicant's disclosure.

Applicants have reviewed these references and have no further comments.

There being no further objections or rejections, the early issuance of a Notice of Allowance is requested.

Respectfully submitted,



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CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing AMENDMENT A for U.S. Application No. 09/691,552 filed October 18, 2000, was deposited in first class U.S. mail, postage prepaid, addressed: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Stephan A. Pendorf

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